

10/788,795

PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2003

Application or Docket Number

10788795

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS	41	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	41 minus 20=	21
INDEPENDENT CLAIMS	5 minus 3 =	2
MULTIPLE DEPENDENT CLAIM PRESENT		<input type="checkbox"/>

* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY
TYPE OTHER THAN
OR SMALL ENTITY

RATE	FEES	RATE	FEES
BASIC FEE	385.00	OR BASIC FEE	770.00
XS 9=		OR XS18=	378
X43=		OR X86=	172
+145=		OR +290=	
TOTAL		OR TOTAL	1320

AMDT CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID-FOR	PRESENT EXTRA
Total	* 41	Minus	** 41	=
Independent	* 5	Minus	*** 3	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

Reg. for Recorr (No Claim Amended)

SMALL ENTITY
OTHER THAN
OR SMALL ENTITY

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		OR X\$18=	
X43=		OR X86=	
+145=		OR +290=	
TOTAL ADDIT. FEE		OR TOTAL ADDIT. FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		OR X\$18=	
X43=		OR X86=	
+145=		OR +290=	
TOTAL ADDIT. FEE		OR TOTAL ADDIT. FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		OR X\$18=	
X43=		OR X86=	
+145=		OR +290=	
TOTAL ADDIT. FEE		OR TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

United States Patent and Trademark Office
- Sales Receipt -

04/20/2006 WMITCHEL 0000004 050221 10788795

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Application No. 10/788,795
Request for Reconsideration dated April 11, 2006
Reply to Office action dated December 5, 2005

71622 US02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Cook

Serial No.: 10/788,795

Group Art Unit: 1761

Filed: February 27, 2004

Examiner: PRATT, Helen F.

For: BEVERAGES CONTAINING WATER-SOLUBLE VITAMIN E

Commissioner for Patents
Mail Stop Amendment
P. O. Box 1450
Alexandria, VA 22313-1450

*Ext. of time
fee*

REQUEST FOR RECONSIDERATION

In Response to the Office Action mailed on December 5, 2005, consideration of this Request for Reconsideration and the following remarks are respectfully requested.

REMARKS

The sole outstanding issue concerns the rejection of claims 1-41 under 35 U.S.C. 103(a) as purportedly obvious based on Lambert et al. (WO 02/076970) in view of Skeffington et al. (2,088,927), Krasavage et al. (J. Agriculture Food Chemistry), Traber et al. (Am. J. Clin. Nutr.) and Argao (J. Pediatric Research). Applicant respectfully traverses this rejection.

Independent claim 1 (from which claims 2-11 depend) concerns a beverage. The beverage includes water, a water-soluble source of vitamin E, a flavoring agent and a sweetener. Independent claim 12 (from which claims 13-22 depend) concerns a fruit beverage which includes fruit juice or fruit flavoring, a water-soluble source of vitamin E and water. Independent claim 23 (from which claims 24-32 depend) concerns a carbonated beverage that includes carbonated water, a water-soluble source of vitamin E, an anti-foaming agent, and a flavoring agent. Independent claim 34 (from which claims 35-37 depend) concerns a beverage concentrate including a flavoring agent, a sweetener, a preservative, an anti-foaming agent, a water-soluble source of vitamin E, and water. Moreover, independent claim 38 (from which claims 39-41 depend)